

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

HOWARD BURNS	:	CIVIL ACTION NO. 1:14-cv-1925
	:	
Plaintiff	:	(Judge Kane)
	:	(Magistrate Judge Cohn)
v.	:	
	:	
CAROLYN W. COLVIN,	:	
Commissioner of	:	
Social Security	:	
	:	
Defendant	:	

**ORDER**

Before the Court in the above captioned action is a December 30, 2015 Report and Recommendation of the Magistrate Judge. The Defendant waived the opportunity to file objections (Doc. No. 17). **ACCORDINGLY**, this 13<sup>th</sup> day of January 2016, upon review of the record and the applicable law, **IT IS HEREBY ORDERED THAT:**

- 1) The Court adopts the Report and Recommendation (Doc. No. 16) of Magistrate Judge Cohn.
- 2) The decision of the Commissioner of Social Security denying Plaintiff's benefits under the Act is **VACATED** and the case is **REMANDED** to the Commissioner of Social Security to develop the record fully, conduct a new administrative hearing and appropriately evaluate the evidence.
- 3) The Clerk of Court shall **CLOSE** the case.

s/ Yvette Kane \_\_\_\_\_  
YVETTE KANE, District Judge  
United States District Court